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Attorneys for Defendant Novell, Inc.

# IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP, INC., a Delaware corporation,

Plaintiff,

VS.

NOVELL, INC., a Delaware corporation,

Defendant.

ORDER GRANTING NOVELL, INC.'S MOTION FOR CONTINUANCE

Case No. 2:04CV00139

Judge Dale A. Kimball

Based upon Novell, Inc.'s Motion for Continuance, the Declaration of Michael A. Jacobs, the Declaration of Heather M. Sneddon, and the Stipulation for Continuance submitted by the parties, and good cause appearing, it is hereby ORDERED as follows:

- 1. Novell, Inc.'s Motion for Continuance is granted; and
- 2. The hearing on Novell, Inc.'s Motion to Dismiss Amended Complaint, currently scheduled for March 8, 2005, is continued until 3:00 p.m. on May 25, 2005.

DATED:

March  $2^d$ , 2005.

BY THE COURT:

Honorable Dale A. Kimball

United States District Court Judge

Approved as to form:

HATCH, JAMES & DODGE

Brent O. Hatch

Mark F. Clements

Mark R. Clements

Attorneys for Plaintiff The SCO Group, Inc.

ANDERSON & KARRENBERG

Thomas R. Karrenberg

John P. Mullen

Heather M. Sneddon

Attorneys for Defendant Novell, Inc.

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 1, 2005, I caused a true and correct copy of the foregoing STIPULATION FOR CONTINUANCE, to be served as indicated below:

#### Via Hand-delivery, upon:

Brent O. Hatch Mark R. Clements HATCH JAMES & DODGE, P.C. 10 West Broadway, Suite 400 Salt Lake City, Utah 84101

# Via Facsimile and U.S. Mail, postage prepaid, upon:

Kevin P. McBride 1299 Ocean Avenue, Suite 900 Santa Monica, California 90401

Stephen N. Zack Mark J. Heise BOIES, SCHILLER & FLEXNER LLP 100 Southeast Second Street, Suite 2800 Miami, Florida 33131

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United States District Court for the District of Utah March 4, 2005

# \* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:04-cv-00139

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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